

## Boone County Board of Zoning Appeals

# Use Classification

### APPLICATION PROCEDURES:

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#### STEP ONE: PRE-APPLICATION

Before filing an application, it is recommended that the applicant meet with the Executive Director of the Area Plan Commission at least one week prior to the anticipated application submission to discuss the proposed request and to become more familiar with the applicable requirements. Call (765) 482-3821 to schedule a meeting.

#### STEP TWO: APPLICATION

1. A complete Use Classification Application and all required Attachments are to be submitted by 4:00pm of the posted deadline date, as shown on the Board of Zoning Appeals Application Schedule (see page 4). Please submit the application, attachments, and associated fees to the Area Plan Commission Office, 116 Washington Street, Room 101, Lebanon, Indiana. The APC Staff shall determine whether the application is complete. If the application is not complete, the applicant will be notified of the deficiencies. Applications submitted or completed after the posted deadline date will be placed on the next month's application cycle.
2. The items below are required in order to complete your application and shall be submitted when your application is filed. **PLEASE FOLD ALL PLANS AND MAPS SUBMITTED.**

#### ☐ Application Form

- All items must be completed fully and either typewritten or printed in ink.
- The application must be signed by the applicants and notarized.

#### ☐ Application Fee

- \$200

### STAFF REPORT AND AGENDA

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If a petitioner does not agree with the use classification depicted by the Executive Director, or if the Executive Director is unsure of which use classification is appropriate, the petitioner or staff may request a Use Classification through the BZA. The Staff Report for a Use Classification will list one or more use classifications as per Table 2 of the Zoning Ordinance that best describe the proposed use. Such report shall be released along with the agenda 10 days prior to the hearing according to the Application Schedule (see page 2.) All additional documents to be studied and considered by staff for use in the Staff Report should be submitted no less than 15 days prior to the hearing according to the Application Schedule (see page 2.) Any interested party may provide support documentation to be delivered to the BZA members along with the Staff Report. To do so, the party must provide 10 copies of each document, which should be submitted no less than 15 days prior to the hearing. According to the Application Schedule (see page 2.)

### BOARD OF ZONING APPEALS HEARING

The BZA shall follow their adopted Rules of Procedure for the hearing, a copy of which is available at the APC office. Public hearings of the BZA are generally held the fourth each month at 7:00 p.m. at the Boone County Office Building Meeting Room, 116 Washington Street, Lebanon, Indiana. Always check with the APC office to verify the exact meeting date, place, and time should a conflict occur.

When your request comes up on the agenda, the following procedure is followed:

You or Staff is asked to present your request to have the use classified by the Board. You may employ an attorney for this purpose or do it yourself. You may use any maps or graphics that will assist you in the

presentation. If the Board members need additional information, they will ask questions regarding your request.

Per Indiana Code 36-7-4-912, the BZA shall make written Findings of Fact, which is the BZA's decision based upon their interpretation of the Presentation and Application. Within 10 business days of the BZA hearing, Staff will send you a copy of the written Findings of Fact.

## **BOARD OF ZONING APPEALS APPLICATION SCHEDULE -- 2015**

The following table depicts the deadlines for petitions before the BZA. Deviations from this schedule are not permitted without approval from the Board. Public hearings of the BZA are generally held the forth each month at 7:00 p.m. at the Boone County Office Building Meeting Room, 116 Washington Street, Lebanon, Indiana. Always check with the APC office to verify the exact meeting date, place, and time should a conflict occur.

<b>BZA Schedule 2016</b>							
Filing deadline	TAC 1:30 pm	Absolute last day to submit info requested at TAC for review to be in staff report	Last day for public notice to be published	Agenda & Staff Report published	Last day to submit info to the file (not to be in staff report)	Last day to submit proof of notification	Public Hearing
18-Dec-15	30-Dec-15	6-Jan-16	9-Jan-16	19-Jan-16	19-Jan-16	22-Jan-16	27-Jan-16
15-Jan-16	27-Jan-16	3-Feb-16	6-Feb-16	16-Feb-16	16-Feb-16	19-Feb-16	24-Feb-16
12-Feb-16	24-Feb-16	2-Mar-16	5-Mar-16	14-Mar-16	14-Mar-16	18-Mar-16	23-Mar-16
25-Mar-16	30-Mar-16	6-Apr-16	6-Apr-16	19-Apr-16	20-Apr-16	22-Apr-16	27-Apr-16
22-Apr-16	27-Apr-16	4-May-16	4-May-16	17-May-16	18-May-16	20-May-16	25-May-16
20-May-16	25-May-16	1-Jun-16	27-May-16	14-Jun-16	15-Jun-16	17-Jun-16	22-Jun-16
24-Jun-16	29-Jun-16	6-Jul-16	5-Jul-16	19-Jul-16	20-Jul-16	22-Jul-16	*27-Jul-16
22-Jul-16	27-Jul-16	3-Aug-16	2-Aug-16	16-Aug-16	17-Aug-16	19-Aug-16	24-Aug-16
26-Aug-16	31-Aug-16	7-Sep-16	5-Sep-16	20-Sep-16	20-Sep-16	23-Sep-16	28-Sep-16
23-Sep-16	28-Sep-16	5-Oct-16	3-Oct-16	18-Oct-16	19-Oct-16	21-Oct-16	26-Oct-16
18-Nov-16	23-Nov-16	30-Nov-16	30-Nov-16	13-Dec-16	14-Dec-16	16-Dec-16	21-Dec-16
16-Dec-16	21-Dec-16	28-Dec-16	28-Dec-16	10-Jan-17	11-Jan-17	13-Jan-17	25-Jan-17
*changed due to holidays							
** Article 5.2.3 Information to be delivered with the staff report should be submitted no less than fifteen (15) days prior to the meeting							
** Article 5.3 All parties shall be allowed to submit documents into public record up to no less than five (5) days prior to the meeting							
** APC Rules of Procedure states that the notice in the paper shall appear no less than fifteen (15) days prior to the public meeting							

Version Dated December 16, 2015  
**Boone County Area Plan Commission**  
 116 Washington Street, Room 101  
 Lebanon, IN 46052  
 Phone (765) 482-3821 \* Fax (765) 483-5241  
[www.boonecounty.in.gov/apc](http://www.boonecounty.in.gov/apc)

# Use Classification Application

For Office Use Only: **FILE NUMBER**

\_\_\_\_\_- 24 -\_\_\_\_\_  
 Year Twp File #

## 1. Petitioner(s)

Check one: ☐ owner ☐ agent ☐ lessee ☐ contract purchaser ☐ other \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

## 2. Applicant's Contact Person or Attorney and Project Engineer (if any)

Contact Person/Attorney Name: \_\_\_\_\_

Project Engineer: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

## Use Classification Request

Use is Most Similar to the Following Listed Use(s):

Description of Intended Use: \_\_\_\_\_

**The undersigned states the above information is true and correct as (s)he is informed and believes.**

Signature(s) of Applicant(s): \_\_\_\_\_

Date: \_\_\_\_\_

## Notary Statement

Sworn to and subscribed before me the

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public in and for the State of Indiana.

\_\_\_\_\_  
Notary Public / Printed

Seal

My commission expires: \_\_\_\_\_

### For Office Use Only

Date Filed: \_\_\_\_\_

Public Notice: \_\_\_\_\_

Newspaper Ad: \_\_\_\_\_

Date of BZA Hearing: \_\_\_\_\_

Decision of BZA: ☐ unfavorable ☐ favorable ☐ favorable with conditions

Conditions: \_\_\_\_\_